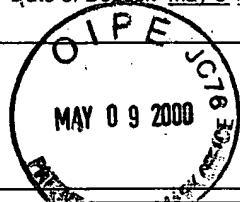


05-10-00

644-373600  
5-17-00

"Express Mail" mailing label number EL 349 631 164 US

Date of Deposit May 9, 2000



## CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.  
(Only for Continuation or Divisional applications under 37 C.F.R. § 1.53(d))

CHECK BOX, if applicable:

 **DUPPLICATE**

|   |                        |                   |
|---|------------------------|-------------------|
| <b>Address to:</b><br>Assistant Commissioner for Patents<br>Box CPA<br>Washington, D.C. 20231 | Attorney Docket No.    | 5297/32-2         |
|   | First Named Inventor   | Brian H. Silver   |
|   | Express Mail Label No. | EL 349 631 164 US |
|   | Total Pages            | 6                 |

This is a request for a  continuation or  divisional application under 37 C.F.R. § 1.53(d) (Continued Prosecution Application (CPA)) of prior application number 08/203,672, filed February 28, 1994, entitled Disposable Milk Collecting Bag for a Breast Pump, which was a continuation of application number 07/809,921 filed December 6, 1991, abandoned.

### NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. § 371.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific request required by 35 U.S.C. § 120 and to every application assigned the application number identified in such request, 37 C.F.R. § 1.78(a).

- The issue fee in the prior application has not been paid.
- The prior application is abandoned under 37 CFR § 1.53(d)(2) as of the filing date of this continued prosecution application.
- Please use the file jacket and all the contents of the prior application, including the specification, drawings, and entered amendments, to constitute the new application.

1. This application is filed by fewer than all the inventors named in the prior application, 37 CFR § 1.53(d)(4).
  - a.  **DELETE** the following inventor(s) named in the prior nonprovisional application:  
\_\_\_\_\_  
b.  The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
2.  A new power of attorney or authorization of agent is enclosed.
3. Information Disclosure Statement (IDS) is enclosed:
  - a.  PTO-1449
  - b.  Copies of IDS Citations

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 01 FC:231  
 02 FC:202

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 39.00 OP

| CLAIMS | (1) FOR  | (2) NUMBER FILED | (3) NUMBER EXTRA | (4) RATE                           | (5) CALCULATIONS |
|--------|--|------------------|------------------|------------------------------------|------------------|
|        | TOTAL CLAIMS<br>(37 C.F.R. § 1.16(c))  | 9 - 20 =         | 0                | x \$ 18.00                         | \$               |
|        | INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b))   | 4 - 3 =          | 1                | x \$ 78.00                         | 78               |
|        | MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d))                  |                  |                  | + \$ 260.00                        |                  |
|        |  |                  |                  | BASIC FEE<br>(37 C.F.R. § 1.16(a)) | 690              |
|        |  |                  |                  | Total of above Calculations =      | 768              |
|        | Reduction by 50% for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27, 1.28). |                  |                  |                                    | 384              |
|        |  |                  |                  | TOTAL =                            | \$384            |

4.  In calculating the filing fee, please cancel claims \_\_\_\_\_ without prejudice to later presentation.  
 Enter the unentered amendment previously filed on \_\_\_\_\_ (copy enclosed) under 37 C.F.R. § 1.116 in the prior nonprovisional application.  
 A preliminary amendment is enclosed.

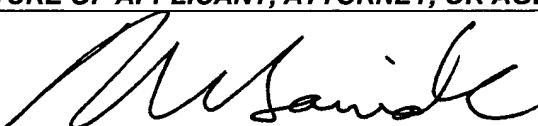
5. Small entity status:  
a.  A small entity statement is enclosed.  
b.  A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.  
c.  Is no longer claimed.

6. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 50-0930:  
a.  Fees required under 37 C.F.R. § 1.16.  
b.  Fees required under 37 C.F.R. § 1.17.  
c.  Fees required under 37 C.F.R. § 1.18.

7.  A check in the amount of \$384 is enclosed.

8.  Other: Petition for Extension of Time for parent case (w/duplicate), and check in the amount of \$435.

**NOTE:** The prior application's correspondence address will carry over to this CPA unless a new correspondence address is provided.

| 10. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED |  |
|---|--|
| Signature:  |      |
| Name:   | Michael H. Baniak  |
| Registration No.:                                       | 30,608   |
| Correspondence Address:                                 | Baniak Nicholas Pine & Gannon<br>1603 Orrington Avenue, Suite 2000<br>Evanston, IL 60201 |
| Date:   | May 9, 2000  |

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**BANIAK NICHOLAS PINE & GANNON**  
1603 Orrington Avenue, Suite 2000  
Evanston, Illinois 60201